

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MAY 15 2015

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DARYELLE LAWANNA PRESTON,

Plaintiff - Appellee,

v.

CITY OF OAKLAND and DEANNA
SANTANA,

Defendants - Appellants.

No. 15-15480

D.C. No. 3:14-cv-02022-NC
Northern District of California,
San Francisco

ORDER

Before: GOODWIN, FARRIS, and FRIEDLAND, Circuit Judges.

We have reviewed the responses to this court's March 17, 2015 order to show cause why this appeal should not be dismissed for lack of jurisdiction. We conclude that the district court order challenged in this appeal does not have the practical effect of denying an injunction. *See* 28 U.S.C. § 1291(a); *United States v. Samuelli*, 582 F.3d 988, 993 (9th Cir. 2009) ("An order has the practical effect of an injunction if it is directed to a party, enforceable by contempt, and designed to accord some or all of the relief sought by a complaint."). The district court's February 11, 2015 order denying appellants' motion for disqualification of appellee's counsel and for an order requiring the return of documents "regulates

the conduct of the litigation” and therefore “is not considered an injunction for purposes of appellate jurisdiction.” *See Gon v. First State Ins. Co.*, 871 F.2d 863, 865-66 (9th Cir. 1989).

Accordingly, this appeal is dismissed for lack of jurisdiction.

DISMISSED.